

C15-2011-0017

APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

ROW-10549402

TP-042501024

WARNING: Filing of this appeal stops all affected construction activity.

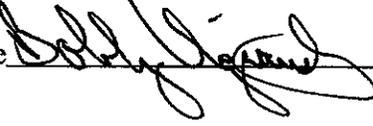
PLEASE: APPLICATION
MUST BE TYPED WITH
ALL REQUESTED
INFORMATION
COMPLETED.

STREET ADDRESS: 4901 _____ l a m b s

lane _____

LEGAL DESCRIPTION: Subdivision - Nuclols _____ Crossing
2 _____

Lot (s) 3 2 _____ Block D _____ Out lot _____
Division _____

I/We  on behalf of myself/ourselves as authorized agent for
_____ affirm that on 1-21, 2011

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

___ ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

a carport providing a front street setback of ~~5~~ 5'8" _____

in a ST-3 _____ district.
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the

following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because: Previous owner closed in garage.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:
There is no access to backyard from a city street.

- (b) The hardship is not general to the area in which the property is located because:
Other properties have access to a garage or backyard from a city street.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:
My neighbor has a similar car port and was granted a variance.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

I _____

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address_4901 lambs lane

City, State & Zip _austin texas
_78744

Printed Bobby Ugiansky Phone 512-773-8488 Jan 21 2011
Date 1/21/11

OWNERS CERTIFICATE -- I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed  Mail Address_4901 lambs lane

City, State & Zip _austin
texas 78744

Printed Bobby Ugiansky Phone 512-773-8488 Jan 21 2011
Date 1/21/11

Bobby Ugiansky

GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

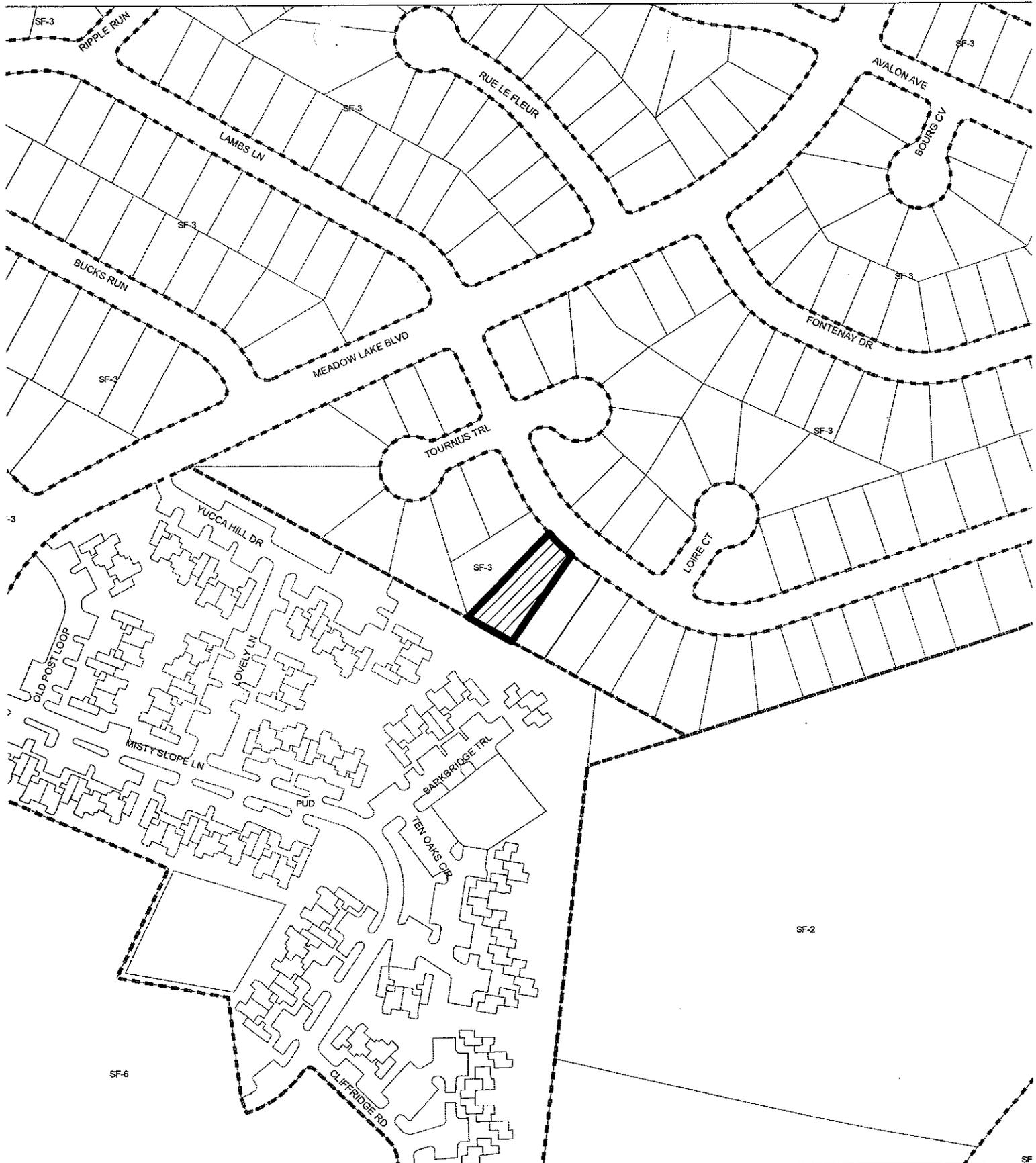
VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)



BOARD OF ADJUSTMENTS



-  SUBJECT TRACT
-  ZONING BOUNDARY

CASE#: C15-2011-0017
 LOCATION: 4901 LAMBS LN
 GRID: H14
 MANAGER: SUSAN WALKER



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

SURVEY PLAT

COPY MADE
BY: HARRIS E

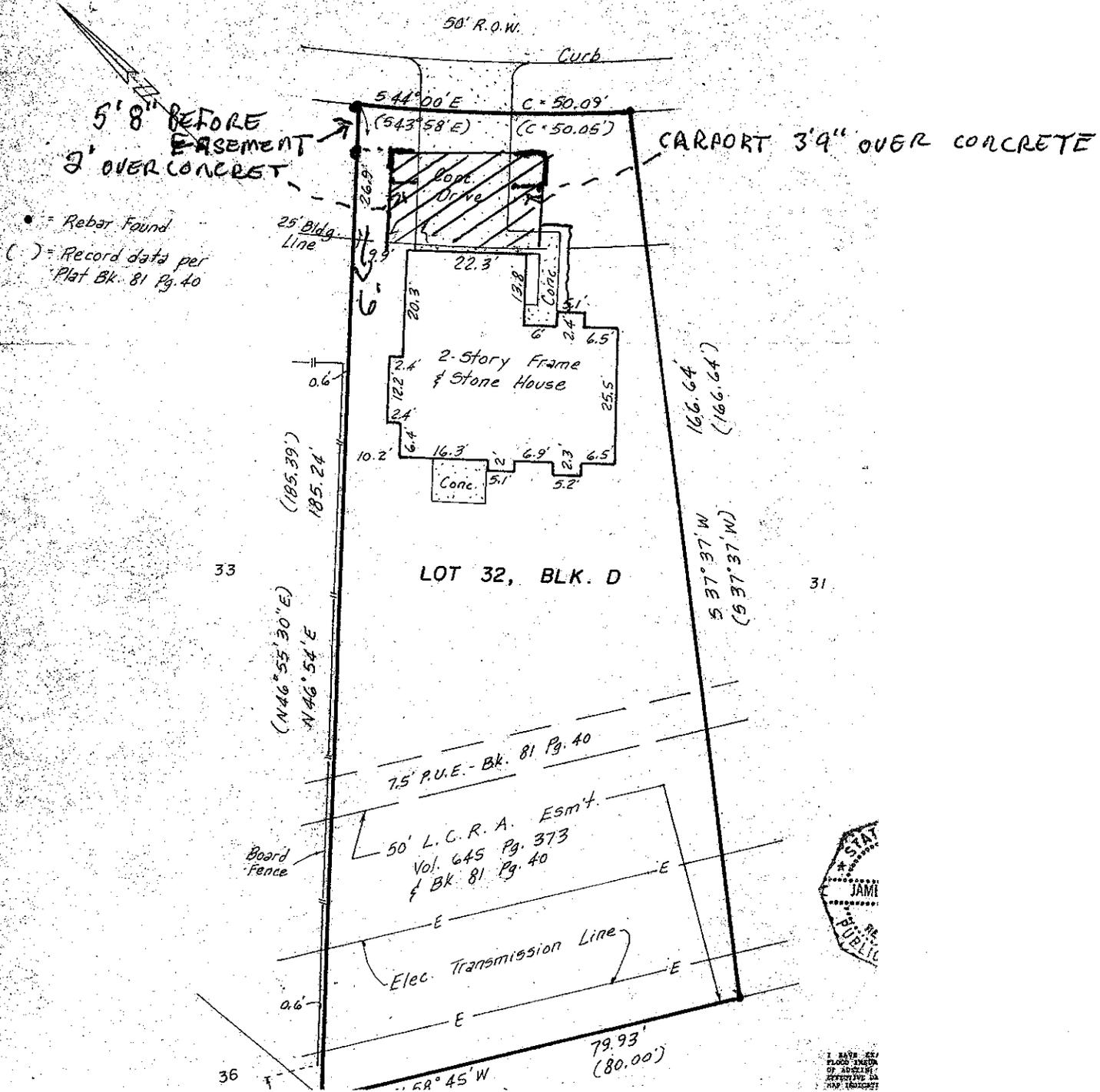
I, THE UNDERSIGNED, HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY OF PROPERTY LOCATED AT NO. 4901 Lambs Lane IN Austin, Texas

BEING DESCRIBED AS FOLLOWS: Lot 32, Block D, Nuckles Crossing Section II

A SUBDIVISION in the City of Austin Travis COUNTY, TEXAS
 ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 81, PAGE 40 OF THE PLAT MAP REC
 OF Travis COUNTY, TEXAS.

REF: GF88050479 SELLER: Mercantile Mortgage Corp BUYER: Bobby D. and Jo Ann U

LAMBS LANE



I HAVE BEEN
 PLACED UNDER
 OF AUSTIN
 TEXAS
 AND I AM
 NOT RESPONSIBLE

NEIGHBOR

4901 LAMBS

ULTIMATE



Adjacent Neighbor @

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

4903 Lambs
Lane

DATE: Monday, June 8, 2009

CASE NUMBER: C15-2009-0048

Y ___ Greg Smith
 Y ___ Michael Von Ohlen (Motion to GRANT)
 Y ___ Yolanda Arriaga
 Y ___ Bryan King
 Y ___ Leane Heldenfels, Vice-Chairman
 Y ___ Frank Fuentes, Chairman
 Y ___ Nora Salinas (2nd the Motion)

APPLICANT: Jesse & Maria G Gomez

ADDRESS: 4903 LAMBS LN

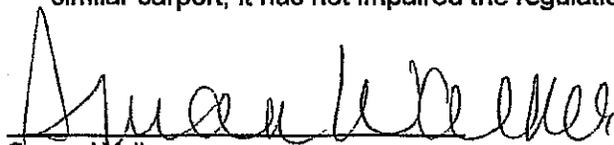
VARIANCE REQUESTED: The applicant has requested a variance to decrease the minimum front street setback requirement of Section 25-2-492 (D) from 25 feet to 5 feet 8 inches in order to maintain an attached carport for a single-family residence in an "SF-3", Family Residence zoning district.

BOARD'S DECISION: MOTION TO APPROVE BY BOARD MEMBER VON OHLEN, SECONDED BY BOARD MEMBER SALINAS; VOTE 7-0; GRANTED WITH CONDITION FOR CARPORT TO REMAIN OPEN

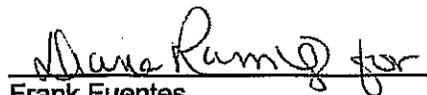
FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: lack of space and location of the property and no other location for this carport to be located
2. (a) The hardship for which the variance is requested is unique to the property in that: there is no access to back of yard in order to build in that direction and not enough room on sides of the house

(b) The hardship is not general to the area in which the property is located because: other properties in the area have similar carports and have same structure layout as this property
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: the addition of the carport is consistent with other homes on the block including our next door neighbor (4901), who has similar carport, it has not impaired the regulation of the zoning district.



Susan Walker
Executive Secretary



Frank Fuentes
Chairman